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Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Summary record of the 1st meeting
Held at Headquarters, New York, on Monday, 8 April 2002, at 10 a.m.

Temporary Chairman: Mr. Dhanapala (Under-Secretary-General for Disarmament Affairs)
Chairman: Mr. Salander. . . . . (Sweden)

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The meeting was called to order at 10.15 a.m.

Opening of the session

1. **The Temporary Chairman** said that the first session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was being convened pursuant to General Assembly resolution 56/24 O. At the 2000 Review Conference States parties to the Treaty had agreed on the further measures to improve the effectiveness of the strengthened review process, thereby reaffirming the provisions of decision 1 adopted at the 1995 Review and Extension Conference. The States parties had also agreed that the purpose of the first two sessions of the Preparatory Committee should be to consider principles, objectives and ways in order to promote the full implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as well as its universality. Each session was also to consider matters of substance relating to the implementation of the Treaty and decisions 1 and 2, as well as the resolution on the Middle East adopted in 1995 and the outcomes of subsequent Review Conferences, including developments affecting the operation and purpose of the Treaty.

2. Since the 2000 NPT Review Conference the international political and strategic environment had changed significantly. The tragic events of 11 September 2001 had underscored the urgency of implementing effective measures to eliminate the risk that weapons of mass destruction might proliferate and fall into the hands of terrorists. The Secretary-General, addressing the General Assembly on 1 October 2001, had stressed the need to strengthen the global norm against the use or proliferation of weapons of mass destruction and to redouble efforts to ensure universality, verification and full implementation of key treaties related to weapons of mass destruction. The General Assembly had multilateralism as a core principle in negotiations in the areas of disarmament and non-proliferation.

3. At the 2000 Review Conference participants had agreed on 13 practical steps for systematic and progressive efforts to implement article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament. However, several events since that Conference had cast a shadow on the prospects for progress. Despite the strong reaffirmation at the 2001 Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty of international support for the Treaty, that instrument had yet to enter into force. Progress on concluding comprehensive safeguards agreements and additional protocols — essential components of the non-proliferation regime — remained slow. Moreover, 51 States had yet to fulfil their obligations under the NPT to bring safeguards agreements with the International Atomic Energy Agency (IAEA) into force, and of the additional protocols approved for 61 States, only 24 had entered into force. Major efforts were needed to consolidate and strengthen the non-proliferation regime and make it universal. All parties must be held accountable for their compliance with their obligations under the Treaty, which was the only instrument committing all parties to nuclear disarmament.

Election of the Chairman

4. **The Temporary Chairman** said he had been informed that it had been agreed in informal consultations that a representative of the Group of Western European and Other States should chair the first session of the Preparatory Committee and that Mr. Salander (Sweden) had been nominated by the Group for that office.

5. *Mr. Salander (Sweden) was elected Chairman by acclamation.*

6. *Mr. Salander (Sweden) took the Chair.*

7. **The Chairman** said that the Final Document of the 2000 Review Conference was the result of a historic consensus. He welcomed the progress that had been made since the 1995 Review and Extension Conference. At the 2000 Review Conference the States parties had agreed on measures that would give the preparatory process for the 2005 Review Conference a more prominent substantive role, in particular with regard to the effective and systematic review of the implementation of the Treaty. Direct exchanges with non-governmental organizations (NGOs), which had become a regular feature of the preparatory and review processes, would contribute to that end.

8. The preparatory process would require significant effort, especially with regard to the implementation of article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear

non-proliferation and disarmament. At the 2000 Review Conference the States parties had outlined the matters to be considered during the first two sessions of the Preparatory Committee, as the Temporary Chairman had noted in his opening statement. At the third session, and at a fourth session if required, the Preparatory Committee should make every effort to produce a consensus report containing recommendations to the Review Conference and should decide on procedural arrangements for the Conference.

9. The international security environment had substantially changed since the previous Review Conference. The events of 11 September 2001 had underscored the importance of progress in implementing existing arrangements relating to weapons of mass destruction as a contribution to the struggle against terrorism. Multilateralism had been reaffirmed on several occasions, most recently in General Assembly resolution 56/24 T, as the core principle in negotiations on disarmament and non-proliferation with a view to maintaining and strengthening universal norms and enlarging their scope. The task of the Preparatory Committee, then, was to take stock of the achievements to date and build on them in order to progress further in the common quest for a nuclear-free world.

Adoption of the agenda

10. *The agenda was adopted.*

Organization of work of the Preparatory Committee

(a) Election of officers

11. The Chairman said that if he heard no objection he would take it that the Committee wished to follow previous practice and agree to the following: a representative of the Group of Western European and Other States should chair the first session, as already decided; a representative of the Group of Eastern European States should be nominated to chair the second session; a representative of the Group of Non-Aligned and Other States Parties to the Treaty should be nominated to chair the third session; and a representative of the Group of Non-Aligned and Other States Parties to the Treaty would be nominated to serve as President of the 2005 Review Conference. The sessional chairmen would serve as vice-chairmen of the Committee during sessions when they were not serving as Chairman.

12. *It was so decided.*

(b) Dates and venues for further sessions

13. **The Chairman** said that the Secretariat had proposed that the second session should be held from 28 April to 9 May 2003 and that the third session should be held from 26 April to 7 May 2004. Conference services were available both in New York and in Geneva for both dates. Past practice had been to hold the second session in Geneva and the third session in New York; accordingly, if he heard no objection, he would take it that the Committee wished to hold its second session in Geneva from 28 April to 9 May 2003 and its third session in New York from 26 April to 7 May 2004.

14. *It was so decided.*

(c) Methods of work

(i) Decision-making

15. **The Chairman** suggested that the Committee should adopt the following decision on decision-making: "The Committee decides to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, the Committee would then take decisions in accordance with the rules of procedure of the 2000 Review Conference of the Parties to the Non-Proliferation Treaty, which would be applied mutatis mutandis."

16. *It was so decided.*

(ii) Participation

17. **The Chairman** suggested that the Committee should adopt the following draft decision on participation, which had been circulated to members of the Committee:

> "The Preparatory Committee decides that:
>
> "1. Representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled to submit documents to the participants in the Committee.

"2. Representatives of specialized agencies and international and regional intergovernmental organizations should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled to submit, in writing, their views and comments on questions within their competence, which may be circulated as documents of the Committee.

"3. Representatives of non-governmental organizations (NGOs) should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the public gallery, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. The Committee shall also allocate a meeting to non-governmental organizations to address each session of the Committee."

18. *It was so decided.*

19. **The Chairman** said that so far no States had requested to attend the meetings of the Preparatory Committee as observers, whereas eight specialized agencies and intergovernmental organizations had done so, namely the International Atomic Energy Agency (IAEA), the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), the European Commission to the United Nations, the International Committee of the Red Cross, the League of Arab States, the Organization of African Unity, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty, and the South Pacific Forum. Requests to attend meetings of the Committee had been received from 62 NGOs, which were listed in document NPT/CONF.2005/PC.I/INF.2.

(iii) Working languages

20. **The Chairman** suggested that, in keeping with previous practice, the working languages of the Committee should be Arabic, Chinese, English, French, Russian and Spanish.

21. *It was so decided.*

(iv) Records and documents

22. **The Chairman** suggested that, in keeping with previous practice, summary records should be provided at each session for the Committee's opening and closing meetings and the general debate, and that records should be made of decisions taken at other meetings.

23. *It was so decided.*

24. **The Chairman** said that he had held consultations with many delegations regarding an indicative timetable for the Committee's work, which would be circulated soon. The timetable was intended to streamline the Committee's work and followed the cluster approach that had been adopted at the 2000 Review Conference, focusing on three blocs of issues that corresponded to the work of the three Main Committees of the Conference.

General debate on issues related to all aspects of the work of the Preparatory Committee

25. **Mr. Mubarak** (Egypt), speaking also on behalf of Brazil, Ireland, Mexico, New Zealand, South Africa and Sweden, said that the current review cycle provided an opportunity to assess progress on nuclear disarmament, take stock of developments since the 2000 Review Conference and consider further joint measures for a nuclear-weapon-free world. The current session of the Preparation Committee should focus on nuclear disarmament and on ensuring proper accounting in State parties' reports of progress on nuclear disarmament.

26. Follow-up to the 2000 Review Conference had been most disappointing. Of particular concern was the international community's failure to implement its commitment to diminish the role of nuclear weapons in security policies and defence doctrines, despite the unequivocal undertaking of nuclear-weapon States to achieve total elimination of their nuclear arsenals. Proposals for security strategies that involved nuclear weapons and the development of new generations of such weapons were particularly worrying.

27. Pending legally binding security assurances by nuclear-weapon States those States must abide by existing obligations and should commit themselves to a policy of non-first use of nuclear weapons. The formalization by nuclear-weapon States of their unilateral declarations in a legally binding agreement

that provided for transparency, verification and irreversibility was essential.

28. The announced withdrawal by the United States of America from the Anti-Ballistic Missile Treaty would have negative consequences for nuclear disarmament and non-proliferation. It could also have grave consequences for global security and create a rationale for basing action solely on unilateral concerns. Any action, such as the development of missile defence systems, that could have a negative impact on nuclear disarmament and non-proliferation was of concern to the international community. It was vital to avert a new arms race on Earth and in outer space.

29. It was important to reaffirm that the Treaty was binding on States parties at all times and in all circumstances, and that States parties must be held fully accountable. The early and unconditional entry into force of the Comprehensive Nuclear-Test-Ban Treaty was also imperative, as was the maintenance of the moratorium on all nuclear explosions in the interim.

30. The continued operation by India, Pakistan and Israel of unsafeguarded nuclear facilities was a cause for concern, as was the failure of States not party to the Treaty to renounce the nuclear weapons option. The international community must therefore redouble its efforts to achieve universal adherence and be vigilant against any steps that might undermine measures to prevent further proliferation.

31. Any resumption of the indefinite possession of nuclear weapons by nuclear-weapon States was incompatible with the integrity and sustainability of the nuclear non-proliferation regime and with the broader goal of maintaining international peace and security. The outcome of the 2000 Review Conference provided the requisite blueprint for achieving nuclear disarmament.

32. **Mr. Amano** (Japan) said that the recent improvement in the relations among the major nuclear-weapon States would strengthen international security. However, a variety of other threats had emerged since the end of the Cold War, in particular regional conflicts and terrorism, which were rendered even more dangerous by the proliferation of weapons of mass destruction. Thus multilayered and mutually complementary efforts to prevent such proliferation were a matter of great urgency, and it was particularly important that the NPT should be further strengthened, since some States that were not parties were developing nuclear weapons, and there were unresolved problems related to compliance. States parties should reduce their dependence on nuclear weapons in national security policies so as to achieve the total elimination of such weapons, as the Treaty obligated them to do.

33. It was necessary to work together during the current phase of the review process, avoiding unnecessary confrontation and the isolation of certain States. The four countries that had not acceded to the NPT should be urged to do so without delay. The non-compliance of Iraq and the Democratic People's Republic of Korea, which had been discussed in the Final Document of the 2000 Review Conference, continued to cause serious concern. Dealing with non-compliance raised extremely complex questions that States parties must address. It should be recalled in that regard that the IAEA safeguards system played an essential role in the prevention and detection of non-compliance. The conclusion of protocols additional to the safeguards system by all States should be promoted. To that end Japan had organized a conference in Tokyo in June 2001 in accordance with the plan of action adopted by the IAEA General Conference and was planning to hold a global-scale meeting later in 2002 in cooperation with the Agency.

34. Since the 2000 Review Conference, there had been little progress on nuclear disarmament, particularly with respect to the 1995 decision on principles and objectives and the 13 steps set out in the Final Document. It was critically important that significant progress should be made by 2005 in order to strengthen the Treaty. Japan would submit its report on efforts to promote nuclear disarmament, as called for in the 13 steps, to the Preparatory Committee at the current session, and he hoped that all States parties, particularly the nuclear-weapon States, would do likewise.

35. Japan was encouraged that Russia and the United States of America had announced their intention to reduce their nuclear arsenals and were engaged in serious negotiations to that end; it also welcomed the unilateral nuclear disarmament measures taken by France and the United Kingdom before the 2000 Review Conference.

36. The Comprehensive Nuclear-Test-Ban Treaty (CTBT) would be helpful not only in preventing the spread of nuclear weapons but also in limiting their qualitative improvement. Like the IAEA safeguards, the CTBT was one of the major pillars of the NPT regime and a realistic, concrete measure that would contribute to the attainment of a nuclear-weapon-free world. It was regrettable that, more than five years after its adoption in 1996, the Treaty had not yet come into force, and he urged those States that had not yet signed and ratified it to do so.

37. The Conference on Disarmament should resolve the deadlock on its programme of work. It was extremely disappointing that the Conference had neither commenced negotiations on a treaty to ban the production of fissile material for nuclear weapons nor established an ad hoc committee to deal with nuclear disarmament. Japan fully supported the Amorim proposal, which would not jeopardize the national security of any of the Conference's member States.

38. The nuclear-weapon States should enhance transparency with regard to their nuclear weapon capabilities and their implementation of article VI, while placing their surplus fissile material under the IAEA safeguard system or another international verification system.

39. In order to prevent the ever-present danger of nuclear and radiological terrorism, the international community should cooperate in taking a wide range of measures such as exchanging information on terrorists and keeping suspected terrorists under surveillance. Accounting and control measures should also be taken in respect of nuclear materials. The protocols additional to the IAEA safeguards agreements could also play a significant role, by helping detect undeclared activities and preventing such sensitive materials from falling into the wrong hands. Japan had pledged $500,000 to IAEA in March and urged other States members of the Agency to make contributions.

40. Japan strongly supported the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the regions concerned and was currently supporting the efforts of the Central Asian countries to establish such a zone.

41. The peaceful uses of nuclear energy were vital not only to ensuring a stable energy supply but also to preserving the environment. The States parties to the NPT should therefore reaffirm that nothing in the Treaty should be interpreted as affecting their right to the peaceful use of nuclear energy.

42. Lastly, the initiative on education on disarmament and non-proliferation was of great importance for future generations, and he commended the work being done by the Department of Disarmament Affairs in that regard.

43. **Mr. Widodo** (Indonesia), speaking on behalf of the States members of the Movement of Non-Aligned Countries, said that the Movement remained convinced that the NPT was a key instrument in efforts to halt the proliferation of nuclear weapons. All States parties should therefore work towards achieving a fair balance between the mutual obligations and responsibilities of nuclear- and non-nuclear-weapon States with a view to achieving the complete elimination of nuclear weapons. In the meantime, efforts for the conclusion of a universal, unconditional and legally binding instrument providing security assurances to non-nuclear-weapon States should be pursued as a matter of priority.

44. The nuclear-weapon-free zones established by the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba were a positive step towards the objective of global nuclear disarmament. The Movement of Non-Aligned Countries welcomed the efforts being made to establish such zones in all regions of the world and called for cooperation and broad consultation to that end. It was essential that nuclear-weapon States should provide unconditional assurances against the use or threat of nuclear weapons to all States in such zones. He reiterated the Movement's support for Mongolia's nuclear-weapon-free status, which would help to strengthen the non-proliferation regime in that region.

45. The members of the Movement that were States parties wished to stress the urgency of achieving the Treaty's universality and reiterated their support for the establishment in the Middle East of a zone free of nuclear weapons and other weapons of mass destruction, in accordance with the relevant resolutions of the General Assembly and the Security Council. All parties concerned should take urgent and practical steps towards the establishment of such a zone; pending its establishment, Israel, the only State in the region that had not acceded to the Treaty or declared its intention to do so, should renounce possession of nuclear weapons, accede to the Treaty without delay, promptly

place all of its nuclear facilities under IAEA safeguards and conduct its nuclear-related activities in conformity with the non-proliferation regime.

46. He reiterated the Movement's principled position of support for the total elimination of all nuclear testing and the need for universal adherence to the Comprehensive Nuclear-Test-Ban Treaty (CTBT). He also reaffirmed the importance of universal application of IAEA safeguards and urged all States that had not yet brought comprehensive safeguards agreements into force to do so as early as possible in order to consolidate and enhance the verification system for the non-proliferation regime. International efforts to achieve universality for comprehensive safeguards should not suffer, however, as a result of additional measures and restrictions imposed on non-nuclear-weapon States, which were already committed to non-proliferation norms and had renounced the nuclear weapons option.

47. The NPT fostered the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation within which those uses could take place. In that context, he reaffirmed the inalienable right of States parties to the Treaty to engage in research and the production and use of nuclear energy for peaceful purposes and stressed that the free and non-discriminatory transfer of nuclear technology for peaceful purposes to all States parties should be fully assured.

48. He reiterated the Movement's call for the full implementation of the undertaking given by the nuclear-weapon States at the 2000 Review Conference to accomplish the total elimination of their nuclear arsenals. That undertaking should be reflected in an accelerated process of negotiations and the full implementation of the 13 practical steps to advance systematically towards a nuclear-weapon-free world. Thus far very little progress had been made to that end.

49. He expressed concern at the slow progress that had been made towards nuclear disarmament since the 2000 Review Conference. Although there had been some progress in bilateral and unilateral reductions, thousands of nuclear weapons continued to be deployed and stockpiled, and to date there was no evidence of agreed measures to reduce the operational status of nuclear weapons. Strategic defence doctrines continued to set out rationales for the use of nuclear weapons, as the recent policy review by one nuclear-weapon State had demonstrated. Recent developments that threatened the principle of the irreversibility of disarmament and other arms control and arms reduction measures were a further cause of concern. The decision of one State party to the Treaty on the Limitation of Anti-Ballistic Missile Systems to withdraw from that Treaty posed new challenges to strategic stability and to the issue of preventing an arms race in outer space. Substantive work should therefore commence without delay on the prevention of just such an arms race.

50. Another cause for concern was the lack of progress in bringing the CTBT into force. All States, especially the nuclear-weapon States, whose ratification was a prerequisite for the entry into force of that Treaty, should therefore continue their efforts to ensure its early entry into force. The ongoing commitment of all signatory States to nuclear disarmament was essential if the Treaty's objectives were to be fully realized. He regretted the inflexible postures of some nuclear-weapon States, which continued to prevent the Conference on Disarmament from establishing an ad hoc committee on nuclear disarmament, despite the need for negotiations on a phased programme, including a nuclear weapons convention, for the complete elimination of nuclear weapons within a specified time frame. He recalled in that connection the unanimous conclusion of the International Court of Justice that there existed an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, and he expressed regret at the lack of progress towards the fulfilment of that obligation.

51. The continued inability of the Conference on Disarmament to resume its negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, was also regrettable. The Movement of Non-Aligned Countries was concerned at the lack of progress in diminishing the role of nuclear weapons in security policies so as to minimize the risk that such weapons would ever be used and to facilitate the process of their total elimination.

52. The Movement supported the convening of the fourth special session of the General Assembly devoted to disarmament but was concerned that no progress had

been made towards the realization of the United Nations Millennium Declaration, in which the heads of State and Government had resolved to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep all options open for achieving that aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers. The Movement was also concerned at the progressive erosion of multilateralism and wished to emphasize the importance of collective international efforts to enhance and maintain international peace and security.

53. In terms of substance, the current preparatory session should focus on ensuring that there was proper accounting in the reports by States of the progress made towards achieving nuclear disarmament, as called for in the Final Document of the 2000 Review Conference. States parties, in particular nuclear-weapon States, should submit reports to each session of the Preparatory Committee. Reports on article VI of the Treaty should cover the issues and principles addressed by the 13 practical steps and should include specific and complete information on each step. The reports should also address current policies and intentions.

54. The Preparatory Committee should also focus its attention on the Middle East. The Final Document of the 2000 Review Conference had called upon all States parties, particularly the nuclear-weapon States and the States of the Middle East, to report to the chairperson of the meetings of the Preparatory Committee held in advance of the 2005 Review Conference on the steps they had taken to promote the realization of the goals and objectives of the resolution on the Middle East adopted by the General Assembly in 1995. Subsidiary bodies should be established at the 2005 Review Conference and at the meetings of its Preparatory Committee to consider practical steps for the systematic and progressive elimination of nuclear weapons and recommendations for the implementation of the General Assembly resolution.

55. Lastly, he wished to reiterate the Movement's position that the 2005 Review Conference as well as the final session of the Preparatory Committee for the Conference should be chaired by representatives drawn from the Movement, and he requested that the statement he had just delivered should be circulated as a working paper of the Preparatory Committee.

56. **Mr. Baali** (Algeria) said that the total elimination of nuclear weapons must be a top priority if mankind was to be spared annihilation. If the international community was to achieve its goal of irreversible nuclear disarmament, the piecemeal initiatives thus far adopted must be supplemented with more concrete action.

57. Despite its inadequacies, the Treaty had become a cornerstone of nuclear non-proliferation and an important tool for international peace and security. Yet, while horizontal proliferation had been restricted, thanks to the unwavering commitment of non-nuclear States, the Treaty had thus far failed to contain vertical proliferation. It was unacceptable that the world should continue to be divided into States that were authorized to possess nuclear weapons and those that were not. Such discrimination must be ended through phased progress towards complete nuclear disarmament.

58. Additional multilateral treaties and agreements must be adopted and implemented to further the Treaty's objectives. The commitment demonstrated by non-nuclear-weapon States to refrain from acquiring nuclear weapons should find its echo in efforts by nuclear-weapon States to eliminate their arsenals.

59. The implementation of article VI of the Treaty and of paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament could only contribute to general and complete disarmament of nuclear weapons. Unfortunately, certain unilateral actions had undermined the achievement of that goal.

60. Universal adherence to the Treaty was vital to achieving an international order no longer based on military supremacy, in which security was cherished and jointly safeguarded by all. Such an order would require a new approach to disarmament involving the renouncing of anachronistic nuclear doctrines that were no longer justifiable. Such an approach would also facilitate the entry into force of the Comprehensive Nuclear-Test-Ban Treaty and accelerate the implementation of article VI of the NPT.

61. Nuclear-weapon States should be urged to comply with their historic commitment to completely eliminate their nuclear arsenals. That process would also be facilitated by the elaboration of a treaty on fissile material, nuclear disarmament and the prevention of an arms race in outer space.

62. His delegation wished to stress the importance of the principle of irreversibility in nuclear disarmament, interim safeguards and the progressive reduction of nuclear weapons. Negative security guarantees should be codified in a legally binding instrument that went beyond the scope of Security Council resolutions 255 (1968) and 984 (1995).

63. The creation of nuclear-weapon-free zones in various parts of the world was most welcome, and similar zones should be established in the Middle East and South Asia. Indeed, lack of progress in establishing such a zone in the Middle East was a cause for particular concern. Israel — the only country in the region not party to the Treaty — must eliminate its nuclear weapons and other weapons of mass destruction and join the IAEA safeguards system.

64. Non-proliferation must not, however, be used as a pretext to restrict the access of developing countries to peaceful nuclear technology pursuant to article IV.

65. The Preparatory Committee should focus on the 13 practical steps towards nuclear disarmament. It should also consider recommending the establishment at the 2005 Review Conference of subsidiary bodies responsible for considering nuclear disarmament, regional issues and the situation in the Middle East.

66. **Mr. de Rivero** (Peru) said that the participation as observers of two nuclear-weapon States that had not been parties to the NPT in the 1990 Review Conference had given new life to the non-proliferation regime and had led to positive developments on several fronts at the 2000 Review Conference. Yet, two years later the plan of action resulting from that Conference had had little influence on the national policies of nuclear States or on the work of the Conference on Disarmament. The potential resumption of the arms race, including in outer space, and the return to twentieth-century security measures based on the political and strategic value of nuclear weapons were the most salient features of the current situation.

67. There were also very real threats to international safety posed by the possession of fissile material and nuclear weapons by non-State entities, civil war and environmental degradation combined with the urban population explosion in poor countries and trafficking in small arms, persons and drugs, all of which led to increased opportunities for global terrorism. In that unpromising context, the viability of the NPT depended on the extent to which the nuclear-weapon States honoured the commitments they had made in the 2000 Final Document, particularly with regard to nuclear disarmament. A universal legal instrument was needed to guarantee that non-nuclear-weapon States would never be victims of the use of nuclear weapons. The refusal of nuclear-weapon States to abandon their nuclear arsenals as an element of power and privilege was in itself an invitation to the proliferation of nuclear arms and fundamentally undermined the NPT.

68. In the face of the apparent setback in nuclear disarmament and the lack of efficient instruments of control, the NPT regime had been questioned, and some States contended that proliferation and the return to a policy of containment were a security option, given the current paralysis of nuclear disarmament and the absence of political will to comply with the measures agreed at the 2000 NPT Review Conference. Nevertheless, Peru continued to believe that the NPT had a central role to play in efforts to achieve nuclear disarmament and non-proliferation, and it strongly supported the measures established in the 2000 Final Document.

69. Radiological protection and the control, monitoring and reduction of nuclear materials was an essential task, which currently suffered from insufficient funding. The manufacture of dirty bombs was one possible result of that situation. In the face of nuclear terrorism, the only sensible prevention policy was the total elimination of nuclear weapons.

70. Peru welcomed the statements by some nuclear-weapon States to the effect that maintaining a state of high alert was irrational as there was a risk of triggering an accidental nuclear war. Peru would continue to call for the establishment of a subsidiary body in the Conference on Disarmament to deal with the question of nuclear disarmament. As part of the world's first nuclear-weapons-free zone, it also hoped that the entire southern hemisphere would soon constitute such a zone.

71. Peru had signed the protocols additional to the IAEA safeguards agreements because it was convinced of the need for an effective international verification system for fissile material. Within the IAEA General Conference it had promoted measures to strengthen the safe transportation of fissile material and supported the establishment of liability mechanisms to compensate the economic losses of a State affected by an accident with radioactive material. Lastly, Peru believed that it

was important to continue promoting assistance and cooperation in the peaceful uses of nuclear energy.

72. **Mr. Dauth** (Australia) said that recent terrible events had highlighted the critical importance of the NPT, which should be maintained and strengthened during the next review cycle. To that end, he urged Cuba, India, Israel and Pakistan to accede to the Treaty as non-nuclear-weapon States.

73. Uneven but useful progress, had been made on nuclear disarmament, and Australia remained fully committed to working by balanced and progressive steps towards the elimination of nuclear weapons. The 13 practical steps agreed upon at the 2000 Review Conference were a strong basis for progress, and their overall intent should therefore be maintained. In that connection, he welcomed the commitment given by the United States of America and the Russian Federation to further reduce the size of their deployed strategic nuclear arsenals and their intention to seek a legally binding agreement to cover the reductions.

74. The obligations under article VI were binding on all parties to the Treaty, however, and non-nuclear-weapon States must therefore also reinforce non-proliferation and disarmament goals. It was gratifying to note in that regard that 165 States had signed, and 90 of them had ratified, the Comprehensive Nuclear-Test-Ban Treaty and that steady progress was being made towards the establishment of an international monitoring system under that Treaty to verify compliance. States that had not yet signed or ratified the CTBT were urged to do so without delay, and until it entered into force, existing moratoriums on nuclear testing must be upheld and strong support for the development of the monitoring system sustained.

75. Negotiation of a fissile material cut-off treaty was also important to nuclear arms control and disarmament and, pending the start of formal negotiations, further informal work should be undertaken on those issues. He called on all the States concerned to join in a moratorium on the production of fissile material for nuclear weapons. The Preparatory Committee should also reiterate the call made to States in the Final Document of the 2000 Review Conference to bring the required comprehensive safeguards agreements into force and to honour their NPT and IAEA safeguards commitments fully. Iraq in particular should move immediately to cooperate fully and unconditionally with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and with IAEA to implement fully all relevant Security Council resolutions and to fulfil its obligations as a party to the Treaty. The lack of cooperation displayed by the Democratic People's Republic of Korea in abiding by its obligations under its safeguards agreement with IAEA also gave cause for concern.

76. The current review cycle should convey the international community's continuing concern at the nuclear tests carried out in 1998 in South Asia and reaffirm that India and Pakistan did not have the status of nuclear-weapon States. Australia looked to those States for early progress on such non-proliferation steps as continuing their moratoriums on nuclear testing, signing the Comprehensive Nuclear-Test-Ban Treaty and applying stringent export controls.

77. The peaceful nuclear cooperation provisions contained in article IV of the Treaty were an essential part of the balance of rights and obligations assumed by States. Over the history of the Treaty, Australia had actively participated in multilateral, regional and bilateral nuclear technology transfer and technical cooperation activities intended to foster the peaceful uses of nuclear energy. Indeed, the Final Document of the 2000 Conference had explicitly recognized the importance of the Treaty's non-proliferation and safeguards commitments to peaceful nuclear commerce and cooperation. The Treaty review process should therefore offer strong support for effective nuclear export controls.

78. The events of 11 September 2001 had underlined the importance of concerted international efforts to keep nuclear weapons and radiological material out of the hands of terrorists. IAEA safeguards, export controls and physical protection measures were at the heart of international efforts to prevent the misuse of nuclear material by both State and non-State actors. His delegation welcomed the progress that had been made on strengthening the Convention on the Physical Protection of Nuclear Material and urged agreement on the text of a revised Convention at the earliest possible date. It also welcomed the plan of action developed by IAEA to upgrade protection against nuclear terrorism. Australia had been pleased to make an early financial contribution to the Agency's new fund and encouraged others to do likewise.

79. The NPT remained the world's best defence against the spread of nuclear weapons. It was the only

global treaty dedicated to the containment and eventual elimination of nuclear weapons which delivered substantial benefits to all States. Continued strong support for the Treaty was therefore a precondition for further progress on its goals.

80. **Mr. Hasmy** (Malaysia) expressed the hope that the nuclear-weapon States parties to the NPT would substantiate their unequivocal commitment to eliminating their nuclear arsenals. Without hard evidence of good faith, their pledges would remain mere platitudes and further undermine the non-proliferation regime.

81. Recent events in the field of disarmament had placed a heavy strain on the Treaty's viability. In particular, the nuclear posture review carried out by one nuclear-weapon State party to the Treaty would seriously undermine the consensus that had been achieved in 2000 and place the Treaty in jeopardy. The review challenged the very basis of global efforts to reduce and eliminate nuclear weapons and was perceived as a rejection of most of the 13 steps that had been agreed upon in pursuit of that objective. Instead of the principle of irreversibility, it advocated the retention and redeployment of many warheads as part of a response force. It also rejected the Comprehensive Nuclear-Test-Ban Treaty and endorsed a higher level of readiness for nuclear testing to allow for the development of new nuclear-weapon systems. That State's initiative would herald the actual use of nuclear weapons in military operations for the first time since Hiroshima and Nagasaki, with all the political and security repercussions that entailed. His delegation further noted with regret that the existing modality of negotiating and implementing nuclear disarmament mechanisms was being sidelined by the nuclear-weapon States.

82. It was a matter of deep regret that, despite strong criticism by the international community, the doctrine of nuclear deterrence continued to hold sway in the strategic thinking of the nuclear-weapon States at a time when every effort should be directed towards reducing and eliminating weapons of mass destruction. Such thinking raised questions about the real commitment of those States to nuclear disarmament.

83. Those developments constituted serious setbacks to prospects for realizing the goals of the Treaty, and the nuclear-weapon States parties were therefore urged not to renege on their undertakings, since to do so would deal a serious blow not only to the viability of the Treaty but to the disarmament process in general. Malaysia had had serious reservations in 1995 about the indefinite extension of the Treaty and had warned that such an extension would give the nuclear-weapon States carte blanche to keep their weapons indefinitely. Recent developments had strengthened those misgivings and dealt a serious blow to the goal of achieving the universality of the Treaty. It was regrettable that self-serving national interests had taken control of the nuclear non-proliferation process, at the expense of the larger interests of the international community, which had placed its entire faith in the good intentions of the nuclear-weapon States. It was therefore imperative that there should be no weakening of support for the Treaty, which might lead to the unravelling of a regime that had served the international community well for over three decades.

84. Despite the many setbacks, Malaysia wished to reiterate its commitment to the total elimination of all nuclear weapons and to a multilateral approach to disarmament. The search for genuine measures of disarmament and non-proliferation remained a high priority on the international agenda. In that context, Malaysia had introduced in the General Assembly for the sixth consecutive year a resolution on the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*. The resolution had been adopted with the overwhelming support of Member States.

85. At the region ' level, Malaysia continued to work actively with the Association of South-East Asian Nations (ASEAN) to strengthen the South-East Asia Nuclear-Weapon-Free Zone in order to promote peace and stability in the region and encourage nuclear-weapon States to accede to the Treaty at an early date. Malaysia also supported the establishment of nuclear-weapon-free zones in other regions of the world, particularly in such volatile regions as the Middle East and South-East Asia.

86. The 2005 Review Conference would afford an opportunity for States Parties and the international community as a whole to take stock of the Treaty's implementation. As States Members of the United Nations, States parties to the Treaty had a moral responsibility to follow up the resolve expressed by their leaders at the United Nations Millennium Summit to strive for the elimination of weapons of mass destruction, in particular nuclear weapons, and to keep

all options open for achieving that aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers.

87. **Mr. Gallegos** (Ecuador) said that his delegation supported the statement made by the representative of Indonesia on behalf of the Movement of Non-Aligned Countries. Ecuador had always supported efforts aimed at non-proliferation and had been a party to the NPT from the outset. It had also been active in the negotiations leading to the conclusion of the Treaty of Tlatelolco, which had established Latin America as the world's first nuclear-weapon-free zone. The size and number of such zones and the interconnections between them should be expanded, and the NPT should be made universal. It was unacceptable that countries with confirmed nuclear capabilities remained outside the Treaty and the IAEA safeguards regime.

88. The terrorist attacks of 11 September 2001 against the United States of America had led the international community to reflect on threats to international peace and security, their origins and their destructive capacity, and on measures that the United Nations should adopt in keeping with the high ideals set forth in the Charter. The struggle against terrorism in all its forms was linked to nuclear disarmament, the non-proliferation regime and arms control.

89. The current climate of uncertainty and confrontation in international relations was exacerbated by the violence in the Middle East and persistent conflicts between certain States, some with nuclear capabilities, and hampered efforts to make progress in the areas of disarmament, nuclear non-proliferation and international security. Other negative factors included the decision by one State to denounce the Anti-Ballistic Missile Treaty, the promulgation of new military doctrines that did not reject the first-use of nuclear weapons and declared certain States to be enemy States, the non-adherence to the NPT by the sole State in the Middle East with nuclear capacity and the nuclear tests in South Asia.

90. It was frustrating that some provisions of the NPT remained completely unimplemented. The periodic Review Conferences should seek above all else to maintain the integrity of the Treaty and to consider new proposals in a constructive spirit and with firm political will. Article VI of the Treaty was clear and specific in requiring all nuclear Powers to enter into negotiations in good faith to terminate the arms race, eliminate nuclear weapons and agree to general and complete disarmament under strict international control. He hoped that the current session would see progress in achieving that goal.

91. **Mr. Chowdhury** (Bangladesh) said that Bangladesh had abjured the nuclear option and acceded to all relevant multilateral treaties. The country's unequivocal support for the NPT stemmed from its constitutional commitment to the renunciation of the use of force. At the international level, the Treaty had played a constructive role in restraining horizontal proliferation and had enjoyed a modicum of success in limiting vertical proliferation.

92. Detonations in South Asia in 1998 as well as ongoing political volatility in the region were particular causes for concern. In the interests of defusing the situation, Bangladesh had used every opportunity to persuade India and Pakistan to accede to the Treaty and to accept relevant international safeguards and monitoring arrangements. Another concern in the region was the unguarded and unnotified transport by land, sea and air of radioactive and nuclear material.

93. Given the inflammatory situation in the Middle East, Israel's nuclear weapons posed a grave danger and risked spurring a regional arms race. The continued failure of Israel to accede to the Treaty could spell disaster in an area where forces, once unleashed, could not always be controlled.

94. It was vital to establish concentric circles of nuclear-weapon-free zones, with the ultimate goal of covering the entire world. The Tlatelolco, Rarotonga, Bangkok and Pelindaba treaties were most welcome in that regard. South Asia and the Middle East must also be urged to conclude similar instruments.

95. The major nuclear Powers must be cognizant of the fact that the end of the Anti-Ballistic Missile Treaty must not be allowed to precipitate a new nuclear arms race. It was all the more important to provide assurances that there would be no nuclear strikes against non-nuclear-weapon States and to forgo any measures that ran counter to the concept of the irreversibility of disarmament.

96. Further causes for concern included: the number of nuclear weapons which continued to be deployed or stockpiled; the lack of agreed measures to reduce the operational status of nuclear weapons; the delay in the entry into force of the Comprehensive Nuclear-Test-

Ban Treaty; the failure of the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament for the purposes of negotiating a phased programme for the complete elimination of nuclear weapons as well as a nuclear weapons convention; and the lack of progress achieved on a treaty to ban production of fissile material.

97. Those concerns must be seriously addressed by all Member States, in particular the Nuclear-Weapon States and those countries that possessed large, modernized defence structures and advanced defence-related technology. Efforts must also be redoubled to overcome the current inertia in implementing the 13 practical steps towards nuclear disarmament, pursuant to article VI of the Treaty.

98. Three decades after the entry into force of the Treaty, access to nuclear technology for peaceful purposes remained an unfulfilled dream for developing States. Nuclear-weapon States must comply with their obligations in that regard, in accordance with article IV.

99. **Ms. Cedeño Reyes** (Venezuela) said that although it totally agreed with the statement made by the representative of Indonesia on behalf of the Movement of Non-Aligned Countries, her delegation wished to reiterate its commitment to strengthening the non-proliferation regime, since Venezuela was an original party to the Treaty of Tlatelolco and its protocols, which established a nuclear-weapon-free zone in Latin America.

100. She urged all States to accede to and ratify the NPT and expressed her delegation's support for the establishment of a binding legal instrument by which the nuclear Powers would unequivocally commit themselves not to use or threaten to use nuclear weapons against non-nuclear-weapon States.

101. The establishment of nuclear-weapon-free zones based on agreements freely entered into between the States of a region was a positive measure to strengthen the non-proliferation regime. In keeping with the aims of the NPT and in order to make it more operational, nuclear-weapon States should conduct negotiations in good faith and reduce their nuclear might, in accordance with article VI. Likewise, the proliferation of nuclear missiles should be prevented and there should be a legal instrument regulating their use.

102. Venezuela was in the process of ratifying the CTBT and urged those countries that had not yet acceded to or ratified it to do so, in view of its complementarity with the NPT.

103. At previous Review Conferences, the States parties to the NPT had reaffirmed their commitment to working together to eliminate the threat posed by the vertical and horizontal proliferation of nuclear weapons. The conflict in the Middle East was escalating, and Venezuela supported the establishment of a nuclear-weapon-free zone there because such a step would help to restore a climate of confidence in which a lasting and just peace could be achieved within the framework of the Charter of the United Nations and the decisions of the Security Council. It could not, however, remain indifferent to the disproportionate violence that was having such harmful consequences for the inhabitants of that region and threatening the peace and security of the whole international community. Accordingly, basing itself on Security Council resolutions 242 (1967) and 338 (1973), her delegation urged Israel to withdraw from the Occupied Palestinian Territory and resume peace talks with the Palestinian Authority.

The meeting rose at 1 p.m.